

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

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IN THE MATTER OF THE  
CHEMICAL RECOVERY SYSTEMS  
SUPERFUND SITE, ELYRIA, OHIO.

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Deposition of

RUSSELL CRAMER

May 7, 2008
9:10 a.m.

Taken at:

Elyria City Hall
131 Court Street
Elyria, Ohio

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25

5 EXAMINATION OF RUSSELL CRAMER

9 A. Yes, sir, I can. R-u-s-s-e-l-l,

15 Q. And are you currently employed? 09:29:18

17 Q. Who do you work for?

file:///C:/Documents%20and%20Settings/kwilli06/Desktop/14399cramer080507.txt (19 of 212) [8/9/2010 9:32:52 AM]

20 Q. A truck driver? 09:29:34

21 A. Yes.

22 Q. And do you know the reason that we

23 wanted to talk to you today is because at one

24 time I believe you drove truck for the site

25 that we're all concerned with here, the 09:29:48

1 Chemical Recovery Systems site in Elyria, Ohio.

2 Did you work at one time for

3 Russell Obitts or James Freeman?

4 A. Yes, sir. James Freeman.

5 Q. Do you know the approximate time of 09:30:03

6 your employment?

7 A. No, sir, I do not. I got it wrote

8 down here on a piece of paper, though. I know

9 it was back in the '70s. Yes. It's '75 or

10 '76, '73 to '75 or '76. 09:30:23

11 Q. '73 to '75 or '76?

12 A. Yes, sir.

13 Q. How did you come to take that job?

14 A. Well, at the time I had a

15 brother-in-law that worked there and he -- I 09:30:39

16 needed a job so he recommended a truck driver,

17 so I went over there and applied and got the

18 job.

19 Q. Had you been a truck driver before

20 that? 09:30:51

21 A. Yes, sir. I drove for Frank's

22 Transport hauling bulk cement in Lorain, Ohio.

23 Q. Who was your brother-in-law who

24 worked at the site?

25 A. Don Matthews. 09:31:02

1 Q. We've met him, actually. We talked
2 to him, took his deposition a year or two ago
3 down in Georgia, I think he lives now.

4 A. Yes, sir.

5 Q. Do you come from Tennessee 09:31:13
6 yourself?

7 A. No, sir, I do not.

8 Q. I thought Don did. I couldn't
9 remember that for sure, but I thought that was
10 the case. 09:31:22

11 Born around here in Ohio?

12 A. No, sir. I was born in Uniontown,
13 Pennsylvania in 1950.

14 Q. Pennsylvania.

15 Do you remember your first day on 09:31:31
16 the job working for Mr. Freeman?

17 A. Not really. I know I walked around
18 the yard quite a bit and checked out the truck
19 I was supposed to drive.

20 Q. What truck were you supposed to 09:31:49

21 drive?

22 A. At the time I drove a low Mack

23 freight -- low six cylinder Mack, five speed,

24 quite a small little truck.

25 Q. Was that a truck that would pull a 09:32:04

1 tanker or a van?

2 A. Oh, yeah, sir. At that time

3 45-foot vans was probably the biggest thing,

4 and 6,000-gallon tankers.

5 Q. 6,000-gallon tankers? 09:32:20

6 A. Yes, sir.

7 Q. Do you know how many tankers the

8 site had at that time?

9 A. Yeah. Three.

10 Q. Three tankers? 09:32:28

11 A. Yes. We had a -- yeah, three of

12 them.

13 Q. Were they all used interchangeably

14 or were any of them dedicated for specific

15 jobs? 09:32:41

16 A. There was one we called the dirty

17 tanker. That's the one we went out and picked

18 all the solvents and stuff up that we had to

19 bring back to the facility to have it

20 reclaimed. And then the other one, we had a 09:32:55

21 four-compartment tanker, and that was 4800

22 gallons. Then we had a 6,000-gallon tanker.

23 It was for clean tankers. We didn't put no

24 slop or anything else in them.

25 Q. So one dirty tanker and two clean 09:33:07

1 tankers, the two clean tankers being the 4800,

2 the compartment, and 6,000 gallon?

3 A. Yes, sir. That was a

4 three-compartment tanker.

5 Q. And I may have missed it, but did 09:33:16

6 you give us the capacity in gallons of the

7 dirty tankers?

8 A. 6,000 gallons; 5800 gallons, 6,000.

9 Q. And my understanding is that when

10 you went out to make a pickup in the tanker, 09:33:32

11 pulling the tanker, that you did not

12 necessarily have it full up to the brim when

13 you came back, the amount that you brought back

14 might vary from pickup to pickup; is that

15 correct? 09:33:50

16 A. That's correct, sir.

17 Q. Do you remember where you were

18 first sent to make pickups?

19 A. I do believe it was PPG in

20 Cleveland. 09:34:02

21 Q. PPG in Cleveland?

22 A. Yes, sir, Pittsburgh Painted Glass.

23 Q. Yes, I'm familiar with PPG. Did

24 you ever pick up from PPG anyplace else besides

25 Cleveland? 09:34:16

1 A. They were going to send me to the
2 main plant in Pittsburgh, but I never made it
3 there.

6 A. Yeah. I'd probably go there once a
7 week.

9 A. Yeah.

12 A. Yes, sir.

15 A. Yenkin Majestic in Columbus. 09:34:48

17 Q. Could you spell that?

19 Y-e-n-k-e-n.

20 MR. PANZA: Thank you. 09:35:04

21 Q. And did you make pickups regularly

22 from Yenkin Majestic in Columbus?

23 A. No, sir.

24 Q. Did you make them frequently?

25 A. No. I probably got there a couple 09:35:16

1 times a month.

2 Q. A couple times a month?

3 A. Somewhere in that neighborhood.

4 Q. Would you usually get a full tanker

5 from them? 09:35:27

6 A. Yes. Yes. They were quite a big

7 facility, as far as I can recall.

8 Q. What about other companies that you

9 remember picking up from? Can you give me some

10 names? 09:35:40

11 A. General Motors in Lordstown. A

12 couple times a month I'd go over there.

13 Q. A couple times a month for General

14 Motors in Lordstown?

15 A. Yes. 09:35:48

16 Q. Did you ever pick up from Ford

17 Motors?

18 A. No, I never did. I think Don has

19 on occasion, my brother-in-law. And the other

20 driver. I think the other driver's name was 09:36:02

21 Frank Hart.

22 Q. Frank Hart and Don Matthews were

23 the other drivers at that time?

24 A. Yes, sir. One, two and three. I

25 did what they didn't want to. 09:36:13

1 Q. I understand.

2 What about other companies you made

3 pickups from, can you remember any other names

4 for me?

5 A. Not right offhand I can't remember, 09:36:23

6 but I remember Ashland Chemical because I would

7 deliver to them down in Dayton, Ohio.

8 Q. You made deliveries to a company in

9 Dayton Ohio. What was the name of the company?

10 A. Ashland Chemical. 09:36:38

11 Q. Ashland Chemical.

12 But did you ever make pickups from

13 Ashland?

14 A. No, sir.

15 Q. Just deliveries? 09:36:42

16 A. Yes.

17 Alsides in Akron, according to my

18 notes, yes, I've been there. Spray-On in

19 Bedford.

20 Q. Spray-On in Bedford Heights? 09:36:53

21 A. Yes.

22 Q. And Alsides in Akron?

23 A. Yes.

24 Q. How often would you make pickups

25 from Alsides? 09:36:59

22 Don and Frank would handle that, too. Like if

24 maybe Yenkin or something, I would go to

25 Spray-On. 09:38:02

1 Q. I see. So those were usually jobs
2 that Frank and Don would handle, going to
3 Spray-On, but when they were doing something
4 else, why, you'd get sent on that run?

5 A. Correct. 09:38:13

6 Q. Any other companies you recall that
7 you picked up from?

8 A. Well, Eagle Rubber. That was
9 usually 55-gallon cans, or drums rather. I'm
10 sorry. Ashland, Ohio. 09:38:28

11 Q. You picked up those in the van
12 then?

13 A. Yes, go down there and pick up a
14 few drums. A lot of places with drum work,
15 like we'd be out all day picking up like maybe 09:38:37
16 a couple drums here, three drums here. Like
17 Jamestown Paint & Varnish, two places, one in
18 Jamestown, New York and Jamestown, PA.

19 Q. So you'd pick up a few drums in one

20 place and then go on to another place and pick 09:38:54

21 up a few more?

22 A. Yes. Like Jamestown Paint &

23 Varnish, I would usually go there maybe four

24 times a month. I'd go to Jamestown,

25 Pennsylvania and then go on up to New York and 09:39:07

1 finish out the load, maybe stay there for a few
2 hours, get some sleep, and then come back the
3 next day.

4 Q. Now, Jamestown Paint & Varnish,
5 they were located in Jamestown, Pennsylvania; 09:39:18
6 is that right?

7 A. Correct.

8 Q. And who was located in Jamestown,
9 New York?

10 A. Jamestown Paint & Varnish. 09:39:22

11 Q. Jamestown had their feet in two
12 Jamestowns then?

13 A. Yes.

14 Q. One in each state?

15 A. Yes. Lucille Ball's hometown. 09:39:30

16 Q. I didn't know that.

17 I'm not sure if I got it from you,
18 and forgive me if I'm asking a question you've
19 already answered, but Jamestown Paint &

20 Varnish, how often would you go out to pick up 09:39:51

21 from Jamestown Paint & Varnish?

22 A. Well, that was one of my regular

23 runs for about a year, so I'd probably go up

24 there -- each place -- I'd probably go up there

25 a couple times a month to each place. 09:40:06

1 Q. And about how many drums would you
2 get from each place?

3 A. Well, we can hold -- to my
4 recollection, I think I could hold 40 drums in
5 a van. Or was it 80? I can't remember. But 09:40:15
6 we -- it split up. We could hold 40 drums in a
7 tanker or in a van. I'd get 20 in Pennsylvania
8 and 20 in New York. They were about the same.
9 They would make a phone call and let us know in
10 a couple days to go up and pick them up. 09:40:36

11 Q. We were talking to the bookkeeper
12 yesterday and she was asked to speculate about
13 how many drums could be fitted into the van,
14 and she was saying it depended on whether they
15 were stacked or not. 09:40:49

16 Would you ever stack the drums too
17 high in the van? She was saying it would
18 depend on whether it went over the weight
19 limit.

20 A. That's correct. There was stuff 09:40:58

21 that -- like toluene and stuff like that, that

22 would weigh a lot more than like paint

23 thinners, like MEK. That would weigh a lot

24 more, so you couldn't double stack stuff like

25 that. But yes, I've had double-stacked drums 09:41:19

1 inside a trailer, yes, sir.

2 Q. So it would depend, then, on what

3 you were picking up? If it was light enough,

4 why, maybe you could stack it in and get 80

5 drums into the van as opposed to 40? 09:41:34

6 A. Correct.

7 And, also, when you get there,

8 they'll -- they might not have full drums. It

9 might be three-quarters full, half full, but

10 they wanted to get rid of them so they'd put 09:41:47

11 them in the truck.

12 Q. Do you have any recollection of

13 specific chemicals that you'd pick up at

14 specific places? I mean, do you remember where

15 you might get MEK or where you might get 09:41:58

16 toluene?

17 A. Well, the MEK was probably

18 Lordstown and Jamestown Paint & Varnish. I'm

19 trying to think what that was at Yenkin

20 Majestic. It was also a heavy product. I just 09:42:11

21 can't recall right now.

22 Q. That's okay. Anything that you can

23 remember is a help, and I appreciate the extent

24 of your recollection. I compliment you on your

25 memory. It's better than a lot of people that 09:42:26

1 I've talked to.

2 A. Well, that's getting older. I was
3 58 a couple weeks ago.

4 Q. Did you ever pick up from Glidden
5 Paint? 09:42:39

6 A. No, sir, I never did, not that I
7 can recall. Glidden, that was one of the ones
8 where they were -- number one and number two
9 would go there a lot.

10 Q. Yeah. I see that Sherwin Williams 09:42:51
11 and Glidden were kind of the property of the
12 number one and number two drivers and you'd get
13 some of the other runs?

14 A. Like I said, number three. It runs
15 downhill. 09:43:04

16 Q. Exactly.

17 MR. CLAY: I'm going to object to
18 the prior question. He didn't say Sherwin
19 Williams. He said Spray-On.

20 MR. NASH: I'm sorry. I get them 09:43:17

21 confused.

22 Q. You were saying that you went to

23 Pennsylvania and New York, making runs to pick

24 up from Jamestown Paint & Varnish. Do you

25 remember any other runs that you made out of 09:43:39

1 state?

2 A. No. I remember delivering a load
3 of material in West Virginia.

4 Q. Delivering in West Virginia?

5 A. Yes. That was a trip. 09:43:51

6 Q. Tell me a little bit about it.

7 A. We got enough time? No. It's --

8 it was for a company that the tanker was -- you

9 got to picture this. It's out in the middle of

10 a field. And you got a blacktop road, you got 09:44:10

11 a gravel road, and you got -- when you get out

12 there, you got a pipe in the middle of nowhere,

13 and you hook a hose up to it, and the guy is

14 down there and you just grab it and feed it off

15 into that tank down there, and then when it 09:44:30

16 gets full, he waves his hand, you got to shut

17 it off and change the hose over and fill it up,

18 the rest of the tank. Then you got to go out

19 in the middle of the field and turn that thing

20 around and get back out of there. And that was 09:44:43

21 a true story. And I never went there again and

22 that was my choice.

23 Q. You were --

24 A. Yes, sir. I was off the road.

25 Q. You were off the road and you were 09:44:56

1 pumping reclaimed solvent?

2 A. No. We wasn't pumping. It was
3 just gravity feeding it. I never turned the
4 pump on or the tractor once.

5 Q. I see what you mean. You were just 09:45:05
6 letting the -- was this reclaimed solvent that
7 you were delivering?

8 A. Yes.

9 Q. And it was just going into an
10 underground tank? 09:45:12

11 A. No. It was an above-ground tank,
12 but it was so far down there that, yeah, you
13 could call it underground.

14 Q. Lower enough --

15 A. Right out of Hundred, West 09:45:24
16 Virginia.

17 Q. Yes. I was wondering if it was
18 Hundred, West Virginia.

19 A. Yes.

20 Q. Do you have any idea what they were 09:45:34

21 doing with that?

22 A. As far as I could tell, they were

23 probably drumming it off or something and

24 selling it to other people around there, paint

25 shops or whatever. Never got into it. Never 09:45:43

1 cared. I did my job and got out of there.

3 right now. There's probably a lot of things

5 understand. 09:46:01

7 Pennsylvania and New York and Hundred, West

9 A. We went to a little facility up in

11 Q. That would be the parent company of

13 A. Yes, sir. The name of it I don't

15 Q. And -- 09:46:24

17 Q. What did you have occasion to do

19 up there or were you dropping off there?

20 A. Both. I'd go up there and pick up 09:46:39

21 stuff that they couldn't handle and bring it

22 back here to the Elyria facility or vice versa.

23 Q. I see.

24 You said that you made deliveries

25 to Ashland but you never made pickups there, 09:47:01

1 right?

2 A. Correct.

3 Q. And you made regular pickups at

4 Alsides. We've got that.

5 You mentioned Eagle Rubber. Was 09:47:10

6 that pickups from Eagle Rubber?

7 A. Yes. That was also drums.

8 Q. And I'm sorry, but I can't recall

9 now, did you tell us where Eagle Rubber was?

10 A. Yeah. Ashland, Ohio. 09:47:22

11 Q. You did mention that. I'm sorry.

12 And do you know how often you'd

13 pick up at Eagle Rubber?

14 A. No, sir. Probably once a week.

15 Q. Do you have any idea what kind of 09:47:31

16 stuff you were picking up from Eagle Rubber?

17 A. I would imagine it was probably

18 MEK, methyl ethyl ketone. There might have

19 been some toluene mixed in. Whatever they used

20 to make rubber and stuff with, synthetics or 09:47:48

21 whatever they call that.

22 Q. Did you ever pick up from Dexter?

23 A. No, sir, not that I recall.

24 Q. Dow?

25 A. Dow Chemical, no. 09:48:00

1 Q. DuPont?

2 A. DuPont, no.

3 Q. What about Fisher Price?

4 A. Fisher Price, no, sir.

5 Q. Did you know of anybody else 09:48:23

6 picking up from Fisher Price at the time?

7 A. No.

8 Q. Just thought I'd ask.

9 In addition to working as a truck

10 driver, did you have other duties around the 09:49:32

11 site? I think you suggested that as third

12 driver you might sometimes have to fill in

13 doing other things?

14 A. Yes, I did. I loaded trucks at the

15 facility, or unloaded, whichever. Like I would 09:49:50

16 say every two days we'd get a load of

17 reconditioned drums in and we'd have to stack

18 them in the building, and then we'd put the

19 chemicals in them on the site and take them to

20 wherever they had to go. 09:50:10

21 Q. And did you ever have to work

22 around the stills?

23 A. They wanted me to. I think I did

24 one day and that was enough for me.

25 Q. I can understand. 09:50:21

1 How many stills did they have?

2 A. Well, they had number one and
3 number two, which was down by the river, and
4 then they had the new one that was up away from
5 there, so I would say three. 09:50:35

6 Q. How would you tell the three apart,
7 besides their location?

8 A. Wow.

9 Q. Any distinguishing physical
10 characteristics? 09:50:55

11 A. Well, yeah. Number one was
12 upright. By upright, it just stood on legs and
13 stood up. And number two was like you got to
14 picture a gigantic barrel laying on its side on
15 legs. And the other one up above, it was just 09:51:15
16 huge. It was big. It was probably 15 feet in
17 the air maybe.

18 Q. Tall?

19 A. Yes.

20 Q. Yes. I think the shell of that one 09:51:24

21 is still there.

22 Do you recall that one being called

23 the Rodney Hunt still?

24 A. No, sir. I don't recall the Rodney

25 Hunt still, no. 09:51:36

1 Q. Maybe they didn't use that name

2 very much.

3 Do you have any recollection of

4 different stills being used for different

5 chemicals? 09:51:47

6 A. Well, I remember them saying that

7 there was stuff they couldn't run on number one

8 that would run on number two, but the product I

9 don't recall. But I do recall them saying that.

10 I remember the number two still, 09:52:05

11 when they shut it down, they'd pull the front

12 off and pull a big gigantic tube out. I guess

13 it was a heating tube. They would have to

14 scrape all that stuff off of there. And if

15 they got product in that didn't run too good, 09:52:20

16 they'd have to do that maybe three times a

17 shift.

18 Q. It sounds like kind of a messy job.

19 A. Well, that's why I said they wanted

20 me to, but I wouldn't. No, I didn't want no 09:52:33

21 part of that.

22 Q. Apart from having to take the still

23 apart and clean the pieces, are you aware of

24 any other activity that resulted in spills or

25 stuff getting dumped on the ground? 09:52:48

1 A. Well, I said the still house, it
2 was -- I'd say it was probably maybe four or
3 six inches down below the surface of the
4 ground. I knew they had spills in there, but I
5 didn't recall of anything major outside. 09:53:03

6 Q. I just wondered if you might recall
7 something. I've heard drivers tell me stories
8 about various spills that had occurred when
9 they worked there. I didn't know if you had
10 seen anything like that happen or not. 09:53:16

11 A. I've heard horror stories, but I've
12 never witnessed anything like that.

13 Q. I understand.
14 You didn't see any fires or
15 explosions then? 09:53:30

16 A. No, sir. If I did -- no, sir.
17 I'll just leave it alone. No, I didn't see
18 any. I don't think I'd want to.

19 Q. Did the fire department often come

20 out? 09:53:42

21 A. They came out for inspections quite

22 a bit, fire marshals.

23 Q. Were there a lot of drums stacked

24 up on the ground at that time?

25 A. Yes, sir. There was quite a few of 09:53:52

19 Incineration would bring their trailers over

20 and load them up in there and take them away. 09:54:53

21 Q. I see.

22 Now, about that aspect of it, the

23 content of the drums, did they do anything when

24 the drums or when the tankers came into the

25 site with chemicals that had been picked up? 09:55:11

1 Did the foreman or anybody else do anything to
2 sample the drums or the tanker, find out what
3 was in the load that had just come in?

4 A. Yes, sir. We'd bring a load in to
5 be reclaimed and he would check it. Like I 09:55:27
6 say, he would take a test tube on a string and
7 drop it down in the tank and he would take
8 various depths. He'd go right off the top.
9 And when he brought the tube out, it was pure
10 water. And he'd go in a little bit deeper 09:55:46
11 until he found the material. And that's how he
12 figured out how much water he had.

13 Q. I see.
14 He could measure fairly accurately
15 that way and get a notion of what percentage of 09:55:56
16 your load was water and what percentage was
17 solids?

18 A. Correct.

19 Q. And would they do any sampling to

20 find out what the solid was or would that 09:56:14

21 information already be on the invoice or other

22 documentation you had?

23 A. Well, when I was sent out, it would

24 tell me exactly what I was supposed to pick up.

25 Like Yenkin Majestic, I know it was not MEK we 09:56:27

1 picked up down there, it was something else.

2 But I can't recall the name of it. I just

3 can't recall right now.

4 Q. That's okay.

5 A. But that's -- that's what they went 09:56:37

6 on. And somehow or another they tested it and

7 they knew what they had. How they did it, I

8 don't know, but we had lab technicians in

9 there, I guess.

10 Q. So when you went out -- I mean, you 09:56:51

11 may not remember now, but when you were sent

12 out on a run, say you were going to go to

13 Yenkin Majestic or some other facility, you'd

14 have an idea going out, and maybe you'd have

15 some paperwork that would document it, as to 09:57:05

16 what you were picking up?

17 A. Yes.

18 Q. It was MEK this run?

19 A. Yes.

20 Q. Or toluene the next run? 09:57:11

21 A. Or it was acetone or whatever, yes.

22 Q. So they weren't just buying a pig

23 in a poke, they had some idea of what they were

24 getting on each run?

25 A. Oh, absolutely, each customer, like 09:57:22

1 Yenkin, Alsides in Akron or Jamestown Paint &
2 Varnish. They never changed up, as far as I
3 know. They always kept the same.

4 Q. Now, was Jim Jackson still running
5 the yard? Was he still the foreman when you 09:57:37
6 worked there?

7 A. Yes, sir.

8 Q. And did he do anything to keep
9 track of the inventory as it was coming in?

10 A. He did the best he could with what 09:57:46
11 he had to work with.

12 Q. Well, what was his system?

13 A. What was that, sir?

14 Q. What was his system for keeping
15 track of things coming in? 09:57:57

16 A. From what I remember, Mr. Jackson,
17 you didn't do anything unless that man knew it.
18 If you messed up, you were the first one on his
19 list to be chewed out that day.

20 Q. Walter Coates told us he was a 09:58:10

21 horse's patoot or something like that.

22 A. He was probably the best guy I ever

23 worked for myself, in my opinion --

24 Q. That's good.

25 A. -- because of that. You know, he 09:58:20

1 wouldn't -- he wouldn't get on you for no
2 reason. He had to have a reason. And if he
3 didn't like you, well, that was your fault.
4 You probably didn't do your job. I remember
5 Mr. Coates in name only. I do not remember 09:58:34
6 him.

7 Q. I think he stopped working there
8 before you joined the site, actually. I think
9 he only worked there until 1970, so you might
10 have heard about him. 09:58:52

11 A. Was he a lab technician or a
12 driver?

13 Q. He was a laborer on the site, and
14 sort of an under-foreman, as it were. I think
15 Jackson was his boss. 09:59:02

16 So what was Mr. Jackson's system
17 for keeping track of inventory as it came into
18 the site?

19 A. He would take your manifest and

20 check it over, and he'd check the load himself 09:59:17

21 and then he'd take it to who he was supposed

22 to.

23 At that time we had a guy by the

24 name of Robert Spears that was the assistant

25 foreman. I think he ran the afternoon shift. 09:59:29

1 They would get together and figure out what
2 they had.

3 But Jim Jackson would tell you
4 where you were going in the morning, he would
5 tell you whether you had anything to do that 09:59:45
6 day or not, or just stick around and help out
7 in the yard. He would make sure what came in
8 and what left. That was Jim's job. Because he
9 was the boss. You know, he made sure that it
10 ran to the best of their ability. 10:00:01

11 Q. When you brought in a load in a
12 tanker, would you pump it directly into another
13 tank or into the still or would you do
14 something to empty out the pickup tanker as
15 soon as you got into the site? 10:00:19

16 A. Yes, sir.

17 We'd put it in holding tanks so it
18 would get ready. Like down below, they had
19 holding tanks down there you had to pump it

20 into, so the still operators knew where to put 10:00:31

21 it. If not, then they would use tow motors and

22 bring the drums out. You'd have to pump from

23 the drum to a holding tank. But that was part

24 of your job. As soon as you got back in, you

25 had to empty out your own tanker and then use 10:00:46

1 cleaning material to clean it out, pump it out,
2 get ready for the next day, unless you got in a
3 little bit too late and then they'd send you
4 home and let the afternoon shift do it.

5 Q. You talked about afternoon shift. 10:01:00

6 My understanding was that they ran three shifts
7 a day, three eight-hour shifts?

8 A. Yes, they did.

9 Q. 24 hours a day?

10 A. Yes. 10:01:09

11 Q. It kind of puzzles me a little bit
12 how they did manage to get that backlog of
13 drums on the site if they were running it into
14 the stills pretty much as soon as it came in.

15 Was there some stuff that sat around for some 10:01:23
16 other reason?

17 A. My -- yes. From what I understand,
18 that's why they had no market for it or
19 something was wrong. They figured there was no

20 sense -- because they didn't have no place to 10:01:38

21 actually store the material when it got

22 reclaimed, they tried to run this day and ship

23 it tomorrow. Because that's what they would do

24 up above. They would -- the new still that

25 they opened, they would try to keep it for a 10:01:55

1 couple customers that used the same product,
2 bring it in, pump it into the holding tank
3 there and then just run it into a tanker
4 outside; and when it was full, shut everything
5 down, button up the tanker and leave with it, 10:02:10
6 and bring another one in to replace it.

7 MR. NASH: Well, I may want to ask
8 you a few more questions later on after I think
9 about what you've said and after I hear what
10 other questions were asked, but I think I'm 10:02:25
11 going to turn this over now and see if anyone
12 wants to ask you a few questions from the panel
13 here.

14 MR. PANZA: I have no questions.

15 EXAMINATION OF RUSSELL CRAMER

16 BY MR. CLAY:

17 Q. Mr. Cramer, my name is Darrell
18 Clay. I represent a member of the groups that
19 bring us here today.

20 You mentioned Spray-On in Bedford 10:03:08

21 Heights. Were those pickups or deliveries?

22 A. I would make deliveries once in a

23 while to Spray-On. I recall being there a

24 couple of times. It was not a very big outfit.

25 And if I remember -- I can't remember whether 10:03:24

1 like maybe acetone would be picked up there. I
2 think they made something to do with like
3 Yenkin Majestic. They were paint can type
4 deals. They would fill paint cans and
5 everything. So probably MEK I picked up, yes. 10:03:39
6 That was drum work, also.

7 Q. So those were drums, and that was a
8 couple of times over the two or three years you
9 worked at the CRS site?

10 A. Yes. 10:03:51

11 Q. Was it pickups of dirty solvents or
12 deliveries of reclaimed solvents?

13 A. Well, either/or. We would pick up
14 drums dirty and take it back, pick up maybe
15 seven or eight drums, and then you'd deliver 10:04:04
16 what you can back to them in drums.

17 Q. Just a couple of times over the
18 time period that you worked there?

19 A. Yes.

20 Q. And at any point did you ever do 10:04:12

21 any pickups or deliveries for Sherwin Williams?

22 A. Sherwin Williams? I remember

23 Sherwin Williams, but I can't recall whether I

24 was there or whether I wasn't there. I mean,

25 it just -- there were so many of them. It 10:04:30

1 would be the same deal. I'm almost certain it
2 came back in 55-gallon drums. That's what I
3 was saying before. They would pump certain
4 material into the tankers and hold them, and if
5 they got, say, 50 drums back from Sherwin 10:04:46
6 Williams -- they couldn't reclaim 50 drums of
7 product. They could only reclaim like 40
8 percent. So whatever they could get, they
9 would ship back to them.

10 Q. But that's just an example. As we 10:05:02
11 sit here today, do you have any specific
12 recollection of any pickups or any deliveries
13 to Sherwin Williams?

14 A. No, sir, I do not.

15 MR. CLAY: Thank you. I don't have 10:05:13
16 any other questions right now.

17 EXAMINATION OF RUSSELL CRAMER

18 BY MR. McWILLIAMS:

19 Q. Mr. Cramer, my name is Doug

20 McWilliams. I'm an attorney representing the 10:05:23

21 CRS Site Group.

22 Was Yenkin Majestic a customer at

23 the time you started?

24 A. Yes.

25 Q. And were they still a customer at 10:05:33

1 the time that you left CRS?

2 A. I'm almost certain they were, yes,
3 sir. They were a pretty big account.

4 Q. And I know you've stated that you
5 worked there sometime between 1973 and 1976. 10:05:49

6 A. Right.

7 Q. Is there any way we can be more
8 specific about when you started work?

9 A. Not really. I know my daughter was
10 born in 1975, so -- she was like two years old 10:06:05
11 when I left there, so it was probably a year
12 before, so that would be '74 to '77, '78,
13 somewhere around in there.

14 Q. So you now recall that you started
15 in '74 or '73? 10:06:26

16 A. Well, like I said, it's running
17 together. I remember what I did before, but
18 I'm having a hard time remembering what I did
19 yesterday.

20 Q. I understand. 10:06:38

21 A. Let's just go with '73, if that's

22 what I put on the paperwork, because I did put

23 my initials at the bottom of the paper, and

24 that was eight years ago, so, you know --

25 Q. Is it fair to say your recollection 10:06:56

1 is not getting better?

2 A. Oh, yes. Yes, it's fair to say

3 that.

4 Q. Do you recall a customer of a CRS

5 entity called Carmac Chemical? 10:07:10

6 A. Located in Elyria, yes.

7 Q. Did you pick up dirty solvent for

8 reclamation from Carmac Chemical?

9 A. When I first started there, it's

10 possible that I did, them and Aztec Chemicals. 10:07:29

11 I think they were both located in the same

12 area, or maybe they became one or something. I

13 don't know. I can't remember.

14 Q. Was that a drum pickup --

15 A. Yes. 10:07:43

16 Q. -- or a tanker pickup?

17 A. Drums.

18 Q. Do you recall approximately how

19 many drums you would pick up from Carmac

20 Chemical? 10:07:51

21 A. No, I can't. I cannot remember how

22 many.

23 Q. Can you estimate for me whether it

24 would be a full load?

25 A. No. No. A full load a week, no. 10:08:04

1 Q. So we've determined that a full
2 load would be 40 drums, single stacked.

3 A. Correct.

4 Q. Would it be something less than 40
5 drums? 10:08:16

6 A. It would probably be 15, 20 maybe.

7 Q. And you indicated that they were a
8 customer when you started; is that correct?

9 A. Yeah, because I remember when -- I
10 wasn't there very long and they sent me over 10:08:37
11 there.

12 Q. And do you believe they were a
13 customer at the time you left CRS?

14 A. No, I don't think so.

15 Q. So approximately how long were they 10:08:43
16 a customer, if you were there for two to three
17 years?

18 A. Probably two years that I can
19 recall.

20 Q. And do you recall how frequently 10:08:59

21 you would pick up drums from Carmac Chemical?

22 A. It would only be once a week, if

23 that, because I know when I came in, there

24 would be like days when I didn't have nothing

25 to do, and then maybe at 10:00 or so Jim would 10:09:20

1 say, "Run over to Carmac and pick this up,"
2 because it was right there, so I'd run over
3 there and get them and come back and we'd
4 unload them.

5 Q. Do you recall where in Elyria 10:09:32
6 Carmac Chemical was?

7 A. No, I can't. I want to say over by
8 Infirmary Road, but I'm not sure of that
9 either. Over by -- what is that -- West River
10 Road. No. It's not West River Road over there, 10:09:47
11 is it? It could be.

12 Q. Do you recall it being on Infirmary
13 Road or near Infirmary Road?

14 A. Near Infirmary Road.

15 Q. Now, you mentioned Aztec Chemicals. 10:09:57
16 Was that a separate facility or the same?

17 A. I think they were right next-door
18 to one another.

19 Q. So a separate facility?

22 A. Yes.

24 Chemical as well?

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1 both together, get one and get the other.

2 Q. So when you made a pickup at
3 Carmac, you would typically also make a pickup
4 at Aztec?

5 A. Yes, if they had it. If they 10:10:26
6 didn't, well, then it might be the next day
7 or -- it all depends on what they had
8 generated. Like I said before, they didn't
9 have much room, so maybe seven, eight barrels
10 or whatever, and they would send us over to get 10:10:40
11 them.

12 Q. Do you know if any of the other
13 drivers during your employ at a CRS entity
14 picked up from Carmac?

15 A. Yeah. I recall them saying they 10:10:49
16 had to. I remember even times when they hooked
17 a bunch of them together, started at 6:00 in
18 the morning and just made rounds, Sherwin
19 Williams or whatever, just making pickups,

20 Alsides maybe. 10:11:10

21 Q. And when you say, "Hook them
22 together," what do you mean?

23 A. Well, like maybe -- maybe Alsides
24 is the first pickup, 10 or 15 drums, and then

25 maybe go over to Sherwin Williams and pick up 10:11:21

1 four or five drums, and then maybe go somewhere
2 else and pick up -- until their truck was full,
3 trailer, and then come back. So they would
4 have three or four pickups in one day, hook
5 them all together on the same route. Because 10:11:36
6 back then they weren't fuel efficient. They
7 could care less as long as you got it done.
8 Today the company probably wouldn't do that.

9 Q. Do you recall what material you
10 picked up from Carmac Chemical? 10:11:51

11 A. No, sir, I do not. That's one
12 thing I don't remember.

13 Q. Do you recall if it was light or
14 heavy? Could you stack it?

15 A. No, I couldn't. If I don't know 10:11:59
16 the name of it, I couldn't tell you.

17 Q. What materials that you picked up
18 could be stacked?

19 A. Well, you'd probably get away with

20 stacking MEK, which is nothing more than a 10:12:22

21 paint thinner. Geez. There was so many

22 different ones. But I know, like I said,

23 toluene was real heavy, and there was a couple

24 other ones that were real heavy. But, like I

25 said, we're going back quite a few years. Some 10:12:41

1 of those look -- they were heavier than water.

2 Like water is, what, like eight pounds to a

3 gallon. These here would probably weigh 12 to

4 14 pounds. And they were super heavy. I

5 remember a 55-gallon drum weighing 750 to 800 10:12:56

6 pounds full.

7 Q. That would be for one of the

8 heavier ones?

9 A. That would be for one of the

10 heavier ones, yes. 10:13:08

11 Q. What was the weight limit for the

12 truck on surface roads?

13 A. 8,000-pound GBW. So I would say

14 you got the semi and the trailer. You could

15 legally get away with hauling 52 to 54,000 10:13:28

16 pounds.

17 Q. So the weight of the drums and the

18 solvent inside the drums would have to be less

19 than approximately 54,000 pounds?

22 you could stack drums?

24 take and figure 700 pounds times 40. That's

25 28 -- 28,000. So you could -- that's a single 10:14:06

1 stack from the floor. So you double that and
2 you got 54 to 55,000. You could almost get
3 away with it, but I wouldn't want to be the
4 driver hauling it down the road, because my
5 record was clean and it still is. No. No 10:14:28
6 thank you. I don't think I'd want to try to
7 explain over the weight or whatever.

8 Q. So then you would be concerned
9 about calculating the weight of your load?

10 A. Right. 10:14:46

11 Q. Would you know the weight of each
12 drum that you picked up?

13 A. No, sir.

14 Q. So did you have a rule of thumb
15 that you used for determining the weight of a 10:14:53
16 drum?

17 A. The only thing I had was going on
18 what Jim Jackson would tell me, the boss. He
19 would tell me what was heavy and what wasn't.

20 He would -- he was -- he was pretty 10:15:06

21 knowledgeable in what he knew and what he

22 didn't know, and I more or less tried to listen

23 to him, because like I said, he was probably --

24 he's one of the nicest guys I ever knew or I

25 ever worked for, and I just more or less -- 10:15:25

1 when you got your manifest that told you what
2 you was getting, you more or less tried to do a
3 little math and tried to do it on your own
4 because nobody was out there to help you. And
5 Lord only knows if you got pulled over and they 10:15:42
6 cite you for it and you call in. Most
7 companies are going to say, "Well, I didn't
8 tell that driver to do that." So you're
9 actually out there on your own. So you have to
10 make a little judgment on your own. 10:15:58

11 Q. So, generally speaking, what would
12 be the weight of a drum of MEK?

13 A. MEK, probably about 550 pounds
14 approximately. It might be less because each
15 drum, if I remember correctly -- we had 10:16:16
16 open-top drums, which sealed with a ring around
17 the top, and we had closed drums, that had the
18 little bung and the big bung. Each one of
19 those drums, I want to say, weighed 50 pounds,

20 the drum. So when you put the product in 10:16:38

21 there -- like the MEK would weigh 500 pounds,

22 50 gallons of it, because -- more like ten

23 pounds I guess. You'd have 550 pounds.

24 Q. And based on my rudimentary math,

25 if we had 80 drums each weighing approximately 10:16:59

1 500 pounds, that would be about 40,000 pounds?

2 A. Correct.

3 Q. So you couldn't pick up 80 drums of

4 MEK?

5 A. Oh, yes. I have. I've done it at 10:17:10

6 Jamestown Paint & Varnish in both Pennsylvania

7 and New York. I'd pick up 40 here and 40 over

8 there. Yeah, you could get it -- or 20 and 20

9 rather, not 40 and 40.

10 Q. Well -- 10:17:28

11 A. You're correct. Okay. You're

12 right with the math.

13 Q. And what would be the approximate

14 weight of a drum of toluene?

15 A. 750 to 800 pounds. 10:17:42

16 Q. What other materials might be

17 picked up?

18 A. I picked up acetone. And there's a

19 couple others that I know I picked up. I just

20 can't remember the name of them. There's a 10:18:08

21 couple other ones that are kind of heavy. I

22 just can't recall the names. But there was

23 more than just those two.

24 Q. Would acetone be a heavy chemical?

25 A. If I recall, no. It was light. It 10:18:22

1 was like MEK.

2 Q. Do you know what you used to
3 estimate the weight of a drum of acetone?

4 A. Just the same method with the MEK
5 and what Jim Jackson would say. Basically, the 10:18:40
6 only way you would be able to do it is if you
7 drew a gallon of it off and put it on a scale
8 and did it yourself, and I never took the time
9 to do it. It's just a scale that they had of
10 approximately what it would weigh, and 10:18:57
11 physically breaking the barrel down and laying
12 it on its side, which I did many a time --
13 yeah, you would -- you would learn which one
14 was heavy and which one wasn't. Trust me.

15 Q. When you went to Yenkin Majestic, 10:19:07
16 you said that you picked up full loads?

17 A. Yes, sir, tanker loads.

18 Q. And that was where?

19 A. That would be in Columbus, Ohio.

20 That's the only one I ever went to. Now, there 10:19:27

21 might be other ones elsewhere, but Columbus.

22 Q. Do you recall where in Columbus?

23 A. Off of 71, off 17th Street,

24 somewhere in that neighborhood, the outskirts

25 of Columbus. All we had on the bills was 10:19:43

1 Columbus, Ohio and it had the address and gave
2 you a little phone number, in case you got lost
3 I guess.

4 Q. Do you recall the names of any
5 personnel at Yenkin Majestic? 10:19:56

6 A. No, sir. I never got any of that.
7 I know when we pulled in there, it was a
8 secured place. You had to check in with a
9 guard. You had to show the guard your
10 manifest, what you was picking up. He would 10:20:09
11 direct you to where you were going. And the
12 guy would come out and assist you on what you
13 were doing. He would stay there and help. I
14 didn't know his name.

15 Q. And describe how you would load 10:20:20
16 chemicals from Yenkin Majestic.

17 A. Well, it was forced through the
18 bottom. You'd hook the hose up to the bottom
19 valve. There again, kit was all dike work.

20 There was dikes around every facility that we 10:20:39

21 had, that we went to. In case it was spilled,

22 it was contained. So he would do his part and

23 I would hook it up to the bottom of the truck,

24 open up the valve. And the tank was so high in

25 the air -- it was probably 30 feet maybe -- 10:21:00

1 that the force would just push it right into

2 the tanker.

3 Now, I would stand on top with the

4 top hole open, and when he got so far, he would

5 shut his off and then he would -- there's a 10:21:13

6 little pump, if I recall, that he could pump

7 the lines quicker. And, of course, when you

8 disconnect it, there was a little bit that went

9 on the ground anyway, but I never seen where it

10 didn't, a little bit anyway. I never saw 10:21:30

11 anything real major, but, of course, an ounce

12 is major I guess. I don't know.

13 Q. So you could observe the liquid

14 then through the hole in the top of the tank?

15 A. Yes. I could see it coming up. 10:21:43

16 You'd get up there so far, and I would say,

17 "Okay. That's enough." And he would shut it

18 off and it would shut off, boom.

19 Q. Describe the liquid for me.

20 A. It was filthy. It stunk. Ugly. I 10:21:54

21 mean, it had -- whatever they were making with

22 it, it had little chunks of stuff in there.

23 You could see it gurgling around. It would

24 stay kind of clear for maybe a foot or two and

25 then all of a sudden you just couldn't see it 10:22:12

1 anymore, all you could see was it coming up the
2 side of the tanker, and that's how we loaded
3 it.

4 Q. Was there a distance that you would
5 go where a full load would be necessary for it 10:22:31
6 to be economical for you to make the trip?

7 A. Oh, absolutely. Absolutely.

8 Like Yenkin Majestic, that was far
9 enough away -- like I was saying earlier, that
10 they tried to run it as efficient as they 10:22:53
11 could, other than the small pickups around town
12 here, maybe Cleveland or something, somewhere
13 where it wasn't -- like Cambridge, Ohio or
14 wherever, if you had to go down there, they
15 wanted to make sure that they got max out of 10:23:08
16 it, because that was the name of the game, they
17 were making their money. They were already
18 going to take a loss on what they couldn't
19 reclaim. They could bring it back and maybe,

20 say, out of a hundred gallons, you might only 10:23:23

21 get 40 or 45 of it back as clean material.

22 But that was already used. That

23 wasn't virgin material. That was already

24 cleaned. So the only person who would actually

25 buy that back was who you got it from, except 10:23:38

1 for the small companies and stuff that would
2 come in and buy 55-gallon drums here and there.
3 They had little paint shops around town and
4 things. They could use it. They didn't need
5 something that was comparably like a hundred 10:23:52
6 dollars for a 55-gallon drum of virgin stuff
7 compared to stuff that's already been
8 reclaimed. If you could save 40 bucks, they
9 would save 40 bucks, or whatever they did. I
10 never got into that either. I just saw it. 10:24:07
11 But yes -- to answer your question,
12 yes, they did. They would reserve to make sure
13 that they had, because I remember a couple of
14 times where we've sent trucks out -- well,
15 we -- trucks would go out that were supposed to 10:24:22
16 have a full load and they didn't, and I
17 remember Jim being a little aggravated and --
18 not Jackson, but Jim Freeman, and he would have
19 Carol get on the phone calling them, saying,

20 "Look. I can't afford to just send the truck 10:24:38

21 over there. You told me you had 80 drums. I

22 can't afford to just send a truck over there

23 for 30. You better get somebody to start

24 counting and make sure." Yes.

25 Q. You mentioned Cambridge. Is that 10:24:50

1 Cambridge, Ohio?

2 A. Yes, sir.

3 Q. What facility was in Cambridge,

4 Ohio?

5 A. The facility that I went to was the 10:24:56

6 Ohio State Service Garage.

7 Q. What would you pick up from the

8 Ohio State Service Garage?

9 A. Nothing.

10 What they did -- that one time that 10:25:26

11 I recall they got a contract. They

12 delivered -- the service garage -- and I

13 remember Cambridge because that's the trip --

14 they rented me a truck, a flatbed stake body

15 truck, and we put drums on it. And I was going 10:25:47

16 down 77 and the right rear wheels fell off that

17 truck and they went over an embankment. Two

18 guys down -- this is a true story. They

19 confiscated the wheels and took off with them.

20 But I didn't get nothing delivered that day 10:26:08

21 because of this. So they had to tow me back.

22 But the next day I had to go down

23 and they delivered -- what they did is they

24 mixed it with paint -- from what I understood

25 from the story, they were mixing it with the 10:26:22

1 paint they were putting on the highways. So
2 Cambridge, Ohio and out around Fremont and
3 certain areas like that, they would -- they
4 were delivering these drums to. Now, there was
5 only like three or four drums to each place. 10:26:35
6 Cambridge, Ohio, I remember that story because
7 of that story about that truck. I mean, that
8 was an experience in itself. But yes.

9 Q. What's the furthest location that
10 you drove to make a pickup? 10:26:53

11 A. Probably Jamestown, New York.

12 MR. McWILLIAMS: Thank you for your
13 time. I'm going to yield the floor, but I will
14 reserve time later for additional questions.

15 THE WITNESS: You're welcome.

16 EXAMINATION OF RUSSELL CRAMER

17 BY MS. HUGGINS:

18 Q. Mr. Cramer, my name is Emily
19 Huggins.

25 A. Yes. 10:27:33

1 Q. And you recall driving to New York
2 and Pennsylvania?

3 A. Yes.

4 Q. And you believe they were the same
5 company; is that right? 10:27:40

6 A. Yes.

7 Q. What led you to believe that both
8 New York and Pennsylvania were the same
9 company?

10 A. Well, what leads me to believe that 10:27:46
11 is the name and the way their equipment looked,
12 both their -- you know, their trucks were out
13 on the highways with the same paintings on the
14 side. Nobody told me, but that's what I
15 figured. 10:28:15

16 Q. So the facilities looked the same
17 to you when you went to Pennsylvania and New
18 York?

19 A. Well, they were warehouses. There

20 was the equipment that they drove. It was -- 10:28:23

21 yeah, the front of the building where the

22 writing was, yes.

23 Q. Can you describe what the writing

24 looked like?

25 A. Not really. It's just the same 10:28:30

1 type of stuff, Jamestown Paint & Varnish.

2 That's all it said on it.

3 Q. Were there any colors that stick in
4 your mind?

5 A. Blue maybe, red. Might have been 10:28:40

6 red, white and blue, all American. I don't

7 know. I can't remember. It's just the way it

8 looked. They're still running around in Akron,

9 Ohio right now. I still see them out on the

10 highway, trucks that say Jamestown Paint & 10:28:56

11 Varnish on them.

12 Q. Did you go to Pennsylvania first or
13 New York first?

14 A. Usually I would go to PA first and
15 then go on up to New York. 10:29:04

16 Q. Was there ever a time that you went
17 to one and not the other?

18 A. No, not for me. Not for me. The
19 other drivers maybe. Not me.

20 Q. And you picked up drums in both 10:29:17

21 places?

22 A. Correct.

23 Q. And do you recall what those drums

24 looked like? Were there any labels or insignia

25 on them? 10:29:29

1 A. No.

2 There was different color drums.

3 There was brown ones, black ones, white ones.

4 Some of them were open top drums. Some of them

5 were closed tops. A lot of it depended on what 10:29:39

6 they were.

7 Q. Do you remember what you picked up

8 at Jamestown, Pennsylvania?

9 A. Like I say, it was probably MEK.

10 That's about the only thing I can remember, 10:29:49

11 because they make paint and varnish there.

12 Q. What about New York?

13 A. Same thing.

14 Q. Did you just do pickups at those

15 facilities? 10:29:58

16 A. I think I delivered there once or

17 twice, but I -- I remember picking up mostly.

18 The other guy -- like I said, I was number

19 three. The other guys, if they didn't want to

20 do it or maybe they had something else to do, 10:30:12

21 they didn't want to spend the night in

22 Jamestown, New York, which there wasn't much up

23 there anyway.

24 Q. When you were there, were you the

25 main driver for Jamestown Paint & Varnish? 10:30:24

1 A. I don't understand what you mean by

2 "the main driver."

3 Q. Were you the primary driver who

4 went to Jamestown Paint & Varnish?

5 A. No. The other two drivers went, 10:30:33

6 also.

7 Q. They did?

8 A. Yeah.

9 Q. Can you give us a sense of what

10 quantity you picked up at each facility? 10:30:39

11 A. Yeah. I do not recall ever picking

12 up double-stacked drums out of there. Now, I

13 remember going -- like I told this gentleman

14 over here, I remember going there, and if the

15 truck would hold 40 -- 40 drums or 80 drums -- 10:30:57

16 I cannot recall exactly how many it would

17 hold -- but we would get a full load -- I would

18 anyway -- all on the floor, all single-stacked.

19 Q. Did you ever have a full load --

20 you say you went from Pennsylvania to New York. 10:31:12

21 A. Right.

22 Q. Did you ever have a full load

23 leaving Pennsylvania so you couldn't go to New

24 York?

25 A. No, because what would happen is 10:31:19

1 sometimes I'd get to Pennsylvania and I'd pick
2 up dirty material -- they're called dirty
3 material -- and they would put maybe 15 drums
4 or so of cleaned material on me to deliver to
5 New York. They worked that out with Chemical 10:31:38
6 Recovery that I would do that. Somehow or
7 another they got compensated for it. And I
8 would make the delivery for them.

9 Q. About how often did you go to
10 Jamestown? 10:31:53

11 A. A couple times a month.

12 Q. And do you remember a specific time
13 period during when you worked at CRS?

14 A. Here we go again with that time.

15 Yeah. I'm going to stick with the '73 to '77. 10:32:06

16 Q. So it was the whole time you were
17 there?

18 A. Yes.

19 MS. HUGGINS: Thank you.

20 MS. WHITBY: No questions. 10:32:15

21 MR. McWILLIAMS: I have a few more.

22 MR. NASH: I have a few more

23 questions, too, but maybe we'll take a break

24 right now.

25 (Recess had.)

1 FURTHER EXAMINATION OF RUSSELL CRAMER

2 BY MR. McWILLIAMS:

3 Q. I'd like to put in front of you

4 some business records that are known to us as

5 U.S. EPA Exhibit 5. They are accounts 10:50:11

6 receivable records from 1975.

7 MR. NASH: That is Exhibit 9 I gave

8 you.

9 Q. Exhibit 9, which is from 1975.

10 MR. McWILLIAMS: Thank you for the 10:50:59

11 correction.

12 MR. NASH: It's Exhibit 9 from the

13 deposition of Carol Oliver, the one we took on

14 November 15th of last year.

15 Q. Mr. Cramer, the first page I put in 10:51:57

16 front of you has in the upper right-hand corner

17 quarterly report fourth quarter 1975. Do you

18 see that page?

19 A. Yes, sir.

20 Q. The first full line in that ledger, 10:52:09

21 I won't ask you to read the number into the

22 record, but is that your name?

23 A. No, sir.

24 Q. Could you read the names, starting

25 at the top? 10:52:28

1 A. Yeah. That's Russell Cramer,
2 Raymond Fields, Robert Gardinski, Ronald
3 Gosset, Forest Hampton, Franklin Hart, Harry
4 Jackson, Carol Oliver, Clarence Edward Peters.

5 Q. Thank you. 10:52:52

6 Is the first name your name?

7 A. No, sir.

8 Q. Russell Cramer?

9 A. Yes, sir.

10 Q. I'm sorry. I don't understand. 10:52:59

11 A. That's my father.

12 Q. This is your father's name?

13 A. Yes, sir.

14 Q. Did your father work for CRS?

15 A. Yes, sir. 10:53:13

16 Q. And did he work in the fourth
17 quarter of 1975?

18 A. Apparently he did. His signature
19 is on this paper.

20 Q. Is your name on this list? 10:53:21

21 A. No, sir.

22 Q. Okay. Thank you.

23 A. You're welcome.

24 Q. I'd like you to turn to the next

25 page, the page that says, "Accounts receivable 10:53:40

1 January 1975."

2 A. Yes.

3 Q. Based on your recollection -- I

4 know we've been through this -- you recall that

5 you were working at a CRS entity in 1975; is 10:53:57

6 that correct?

7 A. Correct.

8 Q. The column entitled "Company," do

9 you see that column?

10 A. Yes. 10:54:10

11 Q. I'd like to walk you through this

12 column and determine if any of these companies

13 were customers for whom you picked up solvent.

14 Do you understand?

15 A. Yes. 10:54:24

16 Q. The first name is Uniroyal, Inc.

17 Did you pick up dirty solvent from Uniroyal?

18 A. Not that I recall. I recall the

19 name Uniroyal, though. That's one of the ones

20 that they ran out of still number two. I told 10:54:39

21 you they could only run certain stuff. That's

22 one of them.

23 Q. So you recall Uniroyal being a

24 customer?

25 A. Oh, yeah. It was a big customer. 10:54:46

1 I remember them talking about Uniroyal quite a

2 bit. That's why they named it Uniroyal MEK.

3 Q. Do you believe that other drivers

4 during 1975 picked up dirty solvent from

5 Uniroyal? 10:55:03

6 A. Absolutely, yes. And I'm sure they

7 probably had it delivered from other companies,

8 too, that was probably picked up. That's

9 something I'm not sure of, but I would imagine.

10 Q. The third line, the company E.F. 10:55:14

11 Hauserman, do you see that?

12 A. Yes, sir, I do. The third one

13 down, yes.

14 Q. Do you recall E.F. Hauserman as a

15 customer of a CRS entity? 10:55:23

16 A. I remember the name, yes,

17 Hauserman.

18 Q. Did you pick up dirty solvent from

19 E.F. Hauserman?

22 drivers during your era picked up dirty solvent

24 A. Yeah, they probably have, because,

25 like I say, if they were busy -- or slow or -- 10:55:43

1 and that was the only place they could go,

2 yeah. Then I would say yes.

3 Q. The next company on the list is

4 Rogate Industries. Do you recall Rogate

5 Industries as a customer of a CRS entity? 10:56:00

6 A. No, sir. I don't remember that

7 name at all.

8 Q. The next name is Larson

9 Consolidated.

10 A. I remember Larson, yes. 10:56:08

11 Q. Do you recall Larson as a customer

12 of a CRS entity?

13 A. Not right off the top, but I

14 remember the name.

15 Q. Do you recall picking up dirty 10:56:19

16 solvent?

17 A. No, sir.

18 Q. The next line is Taylor Metal

19 Products Company. Do you recall Taylor Metal

20 Products Company as a customer of a CRS entity? 10:56:32

21 A. No, sir, I don't remember that one.

22 Q. Moving down to line ten, Carmac

23 Chemical Company?

24 A. Yes, I remember Carmac.

25 Q. And I think, based on our previous 10:56:48

1 conversation, you recall picking up solvent,

2 dirty solvent, from Carmac Chemical?

3 A. Correct.

4 Q. Line 12 is Miracle Adhesives

5 Corporation. Do you recall Miracle Adhesives as 10:57:03

6 a CRS customer?

7 A. No, I don't recall them.

8 Q. The third line, 13, on this page is

9 Sherman Research Labs. Do you recall Sherman

10 Research Labs as a customer? 10:57:18

11 A. In name only because I remember the

12 name Sherman. For some reason or another,

13 Sherman was one of them, but I don't think I

14 had anything to do with them.

15 Q. Do you remember picking up dirty 10:57:29

16 solvent?

17 A. No.

18 Q. Line 16 is Rolon Plastics. Do you

19 recall Rolon Plastics as a customer of CRS?

20 A. I do not recall Rolen. 10:57:45

21 Q. Line 18 is Alcan Sheet & Plate. Do

22 you recall picking up solvent from Alcan Sheet

23 & Plate?

24 A. Yes, I do. I believe that was in

25 Cuyahoga Falls, Ohio. I might have that mixed 10:58:06

1 up with somebody else, but I think I remember

2 that name.

3 Q. Do you recall that being a drum

4 pickup or a tanker?

5 A. I would say that the majority of 10:58:18

6 these that are on here is probably drums.

7 Q. And why do you say that?

8 A. Well, it just seems like -- I don't

9 remember the name. I don't recall the names

10 from the time that I worked there, and normally 10:58:32

11 they were - seemed to be like they were a

12 smaller outfit, smaller company, so it would

13 probably be a smaller quantity that they would

14 have, so it would probably be a drum, because

15 the tanker would be for something that has 10:58:48

16 tanks on the facility or whatever. It would

17 generate 5 to 10,000 gallons of material.

18 These names here just doesn't sound like they

19 would. I could be wrong because, like I said,

20 a lot of them I don't even remember. So I 10:59:04

21 could be wrong, but I would say the majority of

22 them was probably drum.

23 Q. So for the Alcan Sheet & Plate your

24 recollection is that that's a pickup of drums?

25 A. Yes. Yes. 10:59:16

1 Q. And do you recall how many drums

2 would be in a typical pickup?

3 A. That there would probably be

4 anywhere from 10 to 15 maybe a week.

5 Q. And do you recall Alcan Sheet & 10:59:27

6 Plate as being a customer when you started at

7 CRS?

8 A. I don't recall when I first

9 started, no. Like I said, I remember the name.

10 I'm almost certain I've been there once or 10:59:43

11 twice.

12 Q. So if you were there once or twice,

13 your recollection is, in part, that other

14 drivers would have gone there as well?

15 A. Correct. Yes. That could be. 10:59:57

16 Like I say, they would link them all together

17 and make pickups throughout the day to make

18 sure they got a truck load. There again, they

19 would use the manifest, let them know how many

20 drums they picked up at such and such a place, 11:00:14

21 so they would know what to send back to them.

22 Q. Do you recall the type of material

23 that would have been generated by Alcan Sheet &

24 Plate?

25 A. No. That -- the type of materials 11:00:25

1 I can't remember.

2 Q. I'd like you to refer to line 24 of
3 this page, Beaver Paint Company.

4 A. Wow. No, I was never to Beaver
5 Paint. 11:00:42

6 Q. Do you recall them being a customer
7 during the time that you worked at CRS?

8 A. Could very well have been. Could
9 have been -- if it's out of Beaver Falls,
10 Pennsylvania, it could very well be. The only 11:00:54
11 reason why I say Beaver Falls is that's the
12 only Beaver I know of.

13 Q. But do you recall any of your
14 colleague drivers --

15 A. No. 11:01:02

16 Q. -- going to Beaver Falls,
17 Pennsylvania?

18 A. No, sir.

19 Q. Line 26 is Black River Plastics.

20 Do you recall that company being a customer of 11:01:13

21 CRS?

22 A. No, sir, I do not.

23 Q. Line 28 is Empire Spring Division

24 of M-Tech. Do you recall that being a customer

25 of a CRS entity? 11:01:28

1 A. No, sir.

2 Q. I'd like you to turn to the next

3 page, which is listed as sales page seven,

4 accounts receivable, February 1975. Do you see

5 that page? 11:01:42

6 A. Yes, sir, I do. Yes.

7 Q. Line two is the name Richard J.

8 Martin, Incorporated. Do you recall that being

9 a CRS customer?

10 A. I do not have that on here. It's 11:02:02

11 sales page seven, February account receivable.

12 I only have line three. It's Uniroyal, Inc.

13 Oh, okay. I see it. I'm sorry. Yes, I do.

14 Richard J. Martin. No, sir, I do not.

15 Q. Line five is a Mr. Bob Gaydash. Do 11:02:21

16 you recall Mr. Bob Gaydash as a customer of a

17 CRS entity?

18 A. Yes, sir, I do.

19 Q. Did you pick up solvent from

20 Mr. Bob Gaydash? 11:02:34

21 A. No, sir.

22 Q. How do you recall Mr. Bob Gaydash

23 as a customer?

24 A. Well, I remember times where he

25 would come into Chemical Recovery and he would 11:02:45

1 buy drums of paint thinner from us. He would
2 buy four or five drums maybe a month. But he'd
3 bring in his own pickup truck and we would
4 throw them up in the pickup truck for him and
5 he'd take them to his residence. 11:03:06

6 Q. Line number nine is Studebaker
7 Chemical. Do you recall Studebaker Chemical as
8 a CRS customer?

9 A. No, sir. I remember the still
10 operators talking about Studebaker, though, 11:03:23
11 when I first started there, how bad an outfit
12 they were to try to reclaim their solvents.

13 Q. Do you recall where they were?

14 A. No, sir, I do not.

15 Q. And based on those conversations, 11:03:34
16 do you believe that Studebaker Chemical was a
17 customer of CRS?

18 A. Oh, yes. Yes, it was at one time,
19 but, like I say, that was the still operators

20 talking about it, how bad it was to try to 11:03:49

21 run -- remember I said earlier that when

22 material wouldn't run, they would have to keep

23 shutting the machine down and cleaning it up.

24 Well, this was one of them. I remember them

25 talking about that. 11:04:03

1 Q. Do you remember anything about the
2 material that would have caused those problems?

3 A. No, sir. Because like I said, I
4 don't think it was a customer when I first
5 started there. 11:04:11

6 Q. Line 17 on this ledger is Ball
7 Chemical Company.

8 A. Yes, sir.

9 Q. Do you recall Ball Chemical Company
10 as a customer of CRS? 11:04:47

11 A. I never had anything to do with it.
12 I don't recall it. No, the name doesn't sound
13 familiar.

14 Q. Line 22 of this ledger is Superior
15 Industries. Do you recall Superior Industries 11:05:00
16 as a customer of a CRS entity?

17 A. No. I'm going to say no because I
18 just don't remember, don't recall.

19 Q. Line 21 is Alcan Sheet & Plate. I

20 think we talked about them being a customer 11:05:37

21 already.

22 A. Yeah. That's probably a drum

23 pickup. I remember going there a few times,

24 once or twice in my life.

25 Q. Line 28 of this ledger is R.O. 11:05:46

1 Hull, Incorporated. Do you recall R.O. Hull as

2 a customer of a CRS entity?

3 A. No, sir.

4 Q. I'd like you to turn the page now

5 to the accounts receivable page that has a date 11:06:18

6 on it in the upper left-hand corner of March

7 1975. Do you see that? The first name is E.F.

8 Hauserman Company on that page.

9 A. No, I do not. Accounts receivable

10 March 1975, line 20? 11:06:56

11 Q. Is the date March 20 in the first

12 line?

13 A. Yes. That would be line one. I'm

14 sorry. Yes, E.F. Hauserman Company.

15 Q. Let's move to the next page. The 11:07:12

16 upper right-hand corner says, "Page nine, sales

17 April 1975."

18 A. Correct.

19 Q. And the first date is April 1.

22 Equipment. Do you recall Hall Process

24 A. I vaguely remember the name. Drum

25 work. 11:08:06

1 Q. Do you recall where they were?

2 A. That I cannot recall.

3 Q. Do you recall the nature of the
4 material in the drums?

5 A. No, sir. That, again, I can't 11:08:21
6 recall.

7 Q. Do you recall the approximate
8 number of drums in a pickup?

9 A. There again, probably only 10, 15 a
10 week. 11:08:31

11 Q. And do you recall that Hall was a
12 customer at the time you started?

13 A. Yes.

14 Q. Were they a customer at the time
15 you left? 11:08:43

16 A. I don't know. I really truly
17 don't.

18 Q. Line 15 is Accurate Electronics.
19 Do you recall Accurate Electronics as a

20 customer? 11:09:08

21 A. I don't recall ever being there, so

22 no.

23 Q. On the other side of sales, page

24 nine, starting April 24th, do you see that

25 ledger? 11:09:57

1 A. Yes. Yes, I do.

2 Q. Line four, that's Carmac Chemical

3 Company. I think we spoke about them already.

4 A. Yes.

5 Q. Line five is Mahoning Paint 11:10:13

6 Company. Do you recall Mahoning Paint Company

7 as a customer of a CRS entity?

8 A. No, sir, I do not.

9 Q. I'd like you to turn to page ten,

10 which is accounts receivable May 1975. Do you 11:10:48

11 see that?

12 A. May what, sir?

13 Q. May 1975.

14 A. Yes. Yes.

15 Q. The second line is Lake Shore 11:10:57

16 Industries. Do you recall Lake Shore

17 Industries as a customer of a CRS entity?

18 A. I remember Lake Shore Industries

19 would come over there once in a while, like

20 Mr. Gaydash did, and pick up material that had 11:11:43

21 already been reclaimed. What they would use it

22 for, I don't know. I would want to say it

23 would be something other than MEK, but I'm not

24 sure. But I remember it was kind of heavy,

25 heavy stuff. 11:11:58

1 Q. So you recall Lake Shore Industries

2 as related to Bob Gaydash?

3 A. No. They would come over and pick

4 up like Mr. Gaydash did in their own personal

5 vehicle. I never remember being there. 11:12:12

6 Q. Do you recall anyone bringing

7 solvent to the site in their vehicle?

8 A. No, sir; no.

9 Q. So all pickups were made by the

10 drivers employed by CRS? 11:12:25

11 A. Not all, because from what I

12 understand of Mr. Gaydash, when he had his own

13 stuff, he would take it out to them, Ross, his

14 own drums and scrap or whatever you want to

15 call it, sludge. He would take it out to Ross, 11:12:39

16 because Ross was in Grafton and Mr. Gaydash at

17 the time and still does live in Ridgeville.

18 Q. So Mr. Gaydash would bring his

19 dirty solvent to Ross?

20 A. To Ross, correct. Because there 11:12:56

21 wasn't enough there to reclaim, because out of

22 a 55-gallon drum, you might only get 10

23 gallons, so it wasn't worth that, so he would

24 just take it on out there.

25 Q. Do you ever recall Ross sending 11:13:09

1 dirty solvents to the CRS site?

2 A. No. He would incinerate. He would

3 never -- at one time -- from what I understand,

4 I think Ross wanted to set up a thing like

5 Camrac had, but he decided to just incinerate 11:13:27

6 it and get away from it. More money for him, I

7 guess.

8 Q. I'd like you to turn to the other

9 side of page ten, accounts receivable May 1975,

10 starting on May 20th. Do you see that page? 11:13:58

11 A. Yes, sir.

12 Q. Line 19 at the bottom is Eagle

13 Rubber Company?

14 A. Yes, sir.

15 Q. I think you mentioned them earlier 11:14:06

16 today as being a customer of CRS?

17 A. Yes.

18 Q. Did you pick up dirty solvent from

19 Eagle Rubber Company?

20 A. Yes, sir. I do believe that 11:14:17

21 involved drum work. They were located in

22 Ashland, Ohio. I don't even know if they're

23 still in business.

24 Q. Were they in business and a

25 customer of CRS when you started? 11:14:33

1 A. Yes.

2 Q. Were they a customer when you left?

3 A. Yes.

4 Q. And about how often would a pickup

5 occur at Eagle Rubber? 11:14:43

6 A. Probably once a week.

7 Q. And how many drums would be in a

8 pickup as far away as Ashland?

9 A. Probably maybe 10 or 15, but then

10 again, like I say, they would couple that with 11:14:56

11 other pickups also.

12 Q. What other pickups were in the

13 neighborhood of Eagle Rubber in Ashland?

14 A. Well, at that time, there again,

15 the fuel efficiency wasn't the name of their 11:15:09

16 game, so they might go there and they might go

17 back up into Cleveland or wherever they could

18 pick up drums at.

19 Q. Line 14 of this ledger is Chemetron

20 Corporation. Do you recall Chemetron 11:15:27

21 Corporation as a customer of a CRS entity?

22 A. No, sir, I do not.

23 Q. Line four of this ledger is the

24 Hoover Company. Did you pick up from the

25 Hoover Company? 11:16:15

1 A. Yes, sir, about once a week.

2 Q. And was that a drum shipment or a
3 tanker shipment?

4 A. If I recall, for that there we'd
5 take a tanker down and we'd suck the product 11:16:34
6 out of drums into our tanker, and they would
7 dispose of the drums themselves and send them
8 off to get cleaned.

9 Q. So when you took material out of
10 the drums and into the tanker, would that be a 11:16:54
11 full load?

12 A. Sometimes it would be. Sometimes
13 it wouldn't be because, there again, if the
14 material sat outside too long, it would freeze
15 up, whatever. Like a lot of times we couldn't 11:17:09
16 get anything out of the barrel.

17 Q. So would you be transporting then
18 6,000 gallons of dirty solvent when you
19 returned from Hoover Company?

20 A. No. Maybe 2,000. 11:17:27

21 Q. So 2,000 gallons about once per
22 week?

23 A. I would say. I know I was there
24 two or three times a month.

25 Q. And were other drivers then picking 11:17:39

1 up from the Hoover Company as well?

2 A. Not as much as me, I don't think.

3 I think that was one of the places they would

4 send me because it was -- there again, it was

5 kind of close. 11:17:55

6 Q. So you would pick up two to three

7 times per week and one of your other --

8 A. No. Two to three times a month.

9 Q. I'm sorry. Two to three times per

10 month. 11:18:07

11 A. Correct.

12 Q. And one of your other drivers would

13 be picking it up the other one to two times per

14 month?

15 A. Yes, if need be. They're not even 11:18:13

16 in business anymore, so --

17 Q. And was the Hoover Company a

18 customer when you started?

19 A. Yes, it was.

20 Q. And were they a customer when you 11:18:22

21 stopped?

22 A. Yes, they were.

23 Q. Do you know anything about the

24 nature of the material?

25 A. No. 11:18:29

1 Q. Line eight of this ledger is the

2 Whirlpool Corporation.

3 A. Same type of deal as Hoover, go
4 over there once in a while and make the pickups
5 out of the drums. 11:18:48

6 Q. Do you recall where the facility
7 was, the Whirlpool facility?

8 A. I know one of them is in North
9 Canton, Ohio off of 77. It's not North Canton.
10 You can see it off of 77. And the other one is 11:19:09
11 in Clyde, Ohio. I think the Hoover Company was
12 in Clyde on Route 20, and Whirlpool, I do
13 believe, was off 77 in Canton.

14 Q. So you recall pickups from
15 Whirlpool similar to the way you picked up 11:19:35
16 material at Hoover?

17 A. Correct.

18 Q. Can you describe that for me again?

19 A. Yeah. You'd use a hose and the

20 suction tube and just stick it down in the drum 11:19:48

21 and pump it up into the tanker.

22 Q. And approximately how much would

23 you get in each load?

24 A. That -- there again, that depends.

25 And that might be the -- they might -- they 11:20:01

1 might hook those two together, and I can't
2 recall whether they would or not. They might
3 pick up Hoover and Whirlpool in the same day
4 because I'm pretty sure it was the same
5 material that they used. 11:20:15

6 Q. And so approximately how much
7 material would be picked up at Whirlpool in a
8 typical load?

9 A. 2,000 gallons maybe.

10 Q. And how often would you pick up 11:20:28
11 from Hoover?

12 A. Hoover?

13 Q. I'm sorry. Whirlpool. How often
14 would you pick up from Whirlpool?

15 A. It would probably be the same thing 11:20:41
16 as Hoover, three to five -- three to five times
17 a month. I know I said three to -- three to
18 four. Probably five times a month. Let's just
19 be safe.

20 Q. And do you recall anything about 11:20:54

21 the Whirlpool material?

22 A. No, not really. Like I said, I

23 would imagine they were probably both the same

24 type.

25 Q. And was Whirlpool a customer when 11:21:07

1 you began?

2 A. Yes.

3 Q. And were they a customer when you
4 left?

5 A. Yes. 11:21:13

6 Q. I'd like to turn your attention to
7 the next ledger page, which is page 11 in the
8 upper right-hand corner. It's listed as
9 accounts receivable June 1975.

10 A. Yes. 11:21:59

11 Q. And I'd like to direct your
12 attention to line 11, the Gerstenlager Company.

13 A. No, sir. I do not remember that
14 name at all. It doesn't even sound like a good
15 beer. 11:22:19

16 Q. And I imagine you would recall that
17 name.

18 A. Yes, sir, I would.

19 Q. Do you recall Worthington

20 Industries as a customer? 11:22:32

21 A. No, sir, I do not.

22 Q. I'd like you to turn to the other

23 side of page 11, which has a June 17th date in

24 the upper left-hand corner. Do you see that

25 page? 11:23:08

1 A. Yes, sir, I do.

2 Q. I'd like you to look at line five.

3 What's the company on line five?

4 A. That's Bison Corporation.

5 Q. Do you recall Bison Corporation as 11:23:18

6 a customer of a CRS entity?

7 A. No, sir, I do not.

8 Q. I'd like you to look at line 13 on

9 that ledger, Majestic Molding Company. Do you

10 recall Majestic Molding Company as a customer 11:23:49

11 of a CRS entity?

12 A. I do remember Majestic, but I

13 thought that might have been Majestic Paint.

14 They're out of Bedford, Ohio. Now, whether

15 they're one in the same, I don't know. I put 11:24:06

16 that in my notes from the guy that interviewed

17 me a few years ago.

18 Q. So Majestic Paint is different from

19 Yenkin Majestic?

20 A. Yes. Yenkin is in Columbus. 11:24:22

21 Majestic was in Bedford.

22 Q. Do you recall where in Bedford

23 Majestic Paint was?

24 A. No, sir, I do not.

25 Q. Do you recall whether that was a 11:24:33

1 drum customer or a tanker customer?

2 A. Not right offhand, no.

3 Q. What do you recall about Majestic

4 Paint?

5 A. Majestic, I would probably go there 11:24:53

6 a couple of times a month for pickups.

7 Q. Do you recall approximately how

8 much you would pick up?

9 A. A couple thousand gallons.

10 Q. And was Majestic Paint a customer 11:25:11

11 when you started at CRS?

12 A. Yes.

13 Q. And were they a customer when you

14 left CRS?

15 A. Yes. They talked about Majestic 11:25:25

16 and Yenkin quite a bit. It was quite

17 substantial for them. So when I wasn't picking

18 up, somebody else probably was.

19 MR. McWILLIAMS: Mr. Cramer, I'm

20 going to yield the floor to see if others have 11:27:02

21 questions while I'm preparing my last few.

22 EXAMINATION OF RUSSELL CRAMER

23 BY MR. GRAHAM:

24 Q. When you were working at CRS, do

25 you recall the company across the street? 11:27:24

1 A. Harshaw Chemical?

2 Q. Yes.

3 A. Right.

4 Q. Are you aware if you ever saw any
5 of the drums or anything be shipped over or 11:27:35
6 brought over from Harshaw to CRS?

7 A. No, I was never aware of it. No.

8 Q. Was that huge drum stand across the
9 street in those years? The last time I was out
10 there, it must have been about an eight-story 11:27:53
11 drum stacking mechanism across the street. I
12 wonder if it was there during those years.

13 A. No. I don't remember too much of
14 Harshaw other than we didn't get along with
15 them. Apparently Harshaw didn't really want 11:28:10
16 Chem Rec over there and vice versa, but there
17 again, I was just there to drive a truck and do
18 my business. To look around, no, I didn't
19 notice anything like that.

20 MR. GRAHAM: Thank you. 11:28:25

21 EXAMINATION OF RUSSELL CRAMER

22 BY MS. WHITBY:

23 Q. I have one, I think, follow-up

24 question.

25 When you were talking about 11:28:41

1 Uniroyal, you mentioned, I think, something
2 about other pickups for Uniroyal from other
3 folks. Was I understanding right or was I
4 mishearing?

5 A. Well, I never went there that I 11:28:54
6 recall because I don't even know where Uniroyal
7 is. I know that Uniroyal was a big customer
8 for Chemical Recovery. They were big before I
9 got there and they were big after I left. What
10 I meant by other drivers is probably the number 11:29:13
11 one, number two driver.

12 Q. But you weren't suggesting that
13 somehow or another Uniroyal was having material
14 shipped to the site from other places on their
15 account? 11:29:27

16 A. Not that I was aware, no. I didn't
17 mean it that way. I meant the other drivers.

18 MS. WHITBY: Thank you.

19 FURTHER EXAMINATION OF RUSSELL CRAMER

20 BY MR. NASH: 11:29:33

21 Q. I have one question to ask you,

22 Mr. Cramer. This is Tom Nash again.

23 You mentioned that as far as

24 Jamestown Paint & Varnish was concerned, that

25 you recall going to Jamestown, Pennsylvania and 11:29:46

1 also Jamestown, New York and that you saw the
2 same kind of Jamestown Paint & Varnish trucks
3 at both locations, same signs. You indicated,
4 I think, also that sometimes you might not get
5 a full load at one place and that you would 11:30:02
6 make up the difference at the other place, the
7 other Jamestown Paint & Varnish place. I
8 wonder when you were in Jamestown, New York if
9 you ever stopped at any other locations in
10 Jamestown, New York. 11:30:15

11 A. No, sir.

12 Q. Do you remember the name Essex
13 Chemical?

14 A. I remember Essex Chemical, I
15 remember the name, but I've never been there 11:30:25
16 that I'm aware of.

17 MR. NASH: Okay. I just thought
18 I'd ask.

19 EXAMINATION OF RUSSELL CRAMER

20 BY MR. CLAY:

21 Q. Mr. Cramer, I'm Darrell Clay.

22 You mentioned that your father

23 worked at the CRS site as well?

24 A. Correct.

25 Q. Was he a driver or did he do 11:30:37

1 something else?

2 A. He operated a still on second

3 shift.

4 Q. And do you know the time periods

5 that he operated a still for CRS? 11:30:45

6 A. You mean as in years?

7 Q. Right.

8 A. No, sir. He wasn't employed there

9 when I started. I take that back. He might

10 have been there a month or two after I started, 11:30:56

11 but I don't recall that for sure.

12 Q. So he worked there before you and

13 then you came to the company?

14 A. Correct.

15 MR. CLAY: Thank you. 11:31:07

16 THE WITNESS: You're welcome.

17 FURTHER EXAMINATION OF RUSSELL CRAMER

18 BY MR. McWILLIAMS:

19 Q. Mr. Cramer, what about the Russell

20 Cramer line on the fourth quarter 1975 ledger 11:31:16

21 leads you to believe that that's your father

22 and not yourself?

23 A. The signature.

24 Q. So you recognize that as your

25 father's handwriting? 11:31:33

1 A. Correct.

2 Q. Is it the same handwriting that's
3 on the rest of the ledger?

4 A. Oh, it might be. Yes, it is.

5 Q. Would your father have made out the 11:31:48
6 entire ledger?

7 A. I doubt that.

8 Q. So perhaps this is someone else's
9 handwriting?

10 A. Yes. It could be. Now that I look 11:31:55
11 at it closer, I just recognized -- if that's
12 his Social Security Number before that. That's
13 not my Social Security Number.

14 Q. I see.

15 A. That could very well be my 11:32:07
16 father's. The R looks the same all the way
17 down through there, so that's probably somebody
18 else's handwriting.

19 MR. NASH: It could be a clerical

20 error. If they had two Russell Cramers working 11:32:21

21 for them at different times, they might have

22 got the Social Security Number transposed.

23 Q. In your recollection, was your

24 father working at the site in the fourth

25 quarter of 1975? 11:32:34

1 A. He might very well have been, like

2 I just told this gentleman over here, but I

3 don't recall.

4 Q. Mr. Cramer, I'd like to have you

5 return to the ledgers that are in front of you. 11:32:52

6 A. Yes.

7 Q. If you would find the ledger that's

8 listed as page 14, September 1975, and the date

9 in the left-hand column would be September 2nd,

10 1975. Do you see that? 11:33:21

11 A. Yes, sir.

12 Q. Line 24 of this ledger identifies

13 Ken's Woodcraft as a customer, as a company.

14 Do you recall Ken's Woodcraft being a customer

15 of a CRS entity? 11:33:38

16 A. No, sir. That might be another

17 Gaydash deal where they bought it and didn't

18 have nothing to reclaim there.

19 Q. I'd like you to turn then to

22 Q. Line 11 of that ledger. And this

24 A. Correct.

25 Q. Line 11, could you read that for 11:34:12

1 me?

2 A. It says, "Ohio Poly Chemical
3 Company Yenkin."

4 Q. Do you recall Ohio Poly Chemical
5 Company? 11:34:25

6 A. If I remember correctly, that was
7 on the river, the southwestern part of Ohio.
8 It was a factory down there. Yes. If that's
9 it, yes, I remember it.

10 Q. What relation is that to Yenkin? 11:34:42

11 A. I have no idea. If that's the one,
12 I was only there one time and I had to take
13 product down for them to clean up part of their
14 equipment that they had down there, and that's
15 the only time I had ever been there. 11:35:05

16 Q. And this is a location on the Ohio
17 River. Do you remember what city or town?

18 A. No, sir, I cannot.

19 Q. Do you recall a company named Ohio

25 customer of a CRS entity? 11:36:13

1 A. I've heard of Sylvania, but I'm not
2 sure if it's Sylvania, Ohio or it's a company
3 where they make light bulbs or whatever. I'm
4 not sure.

5 Q. Do you recall any pickups in 11:36:26
6 Altoona, Pennsylvania?

7 A. Not for me, no.

8 Q. Any pickups in Emporium,
9 Pennsylvania?

10 A. No, sir. 11:36:34

11 Q. I'd like you to turn to October '75
12 sales, page 15, the one that starts with
13 October 15th.

14 A. Yes, sir.

15 Q. Would you look at line 13? 11:36:55

16 A. Yes.

17 Q. Could you read that line to me,
18 please?

19 A. Yenkin Majestic Ohio Poly Chemical.

20 Q. Do you recall Ohio Poly Chemical 11:37:14

21 being related to Yenkin Majestic?

22 A. No, sir.

23 Q. Is it possible that the facility

24 down on the Ohio River was something other than

25 Ohio Poly Chemical? 11:37:37

1 A. It could very well be. Like I
2 said, if that's the one I was at, the name
3 sounds familiar, but it wasn't even in Ohio.
4 It was across the river.

5 Q. Oh. It was in what state then? 11:37:51

6 A. West Virginia, I think.

7 Q. Do you recall the nature of the
8 operation?

9 A. No. There again, we would just go
10 in and deliver or pick up and get out. 11:38:08

11 Q. I know we've been through a long
12 list of companies now, Mr. Cramer. Do you
13 recall, now that you've had a chance to look
14 through some ledgers, any other customers that
15 were significant customers of a CRS entity? 11:38:54

16 A. Not right offhand. From what I'm
17 reading here, like Stang Motor Sales, I don't
18 remember them. That had to be another one of
19 those things where they'd come in probably and

20 pick up a drum a week maybe. They probably had 11:39:13

21 a paint shop for the cars or whatever over

22 there. Fisher Price Toys I see is on here

23 quite a bit. I don't remember them either.

24 I'm not saying that we didn't have them. I

25 just don't remember them. 11:39:29

1 Q. Well, we're interested in your

2 recollection.

3 A. Correct.

4 Q. Not what's in the record. So if

5 you don't recall them, I understand. 11:39:35

6 MR. McWILLIAMS: I have no

7 additional questions at this time.

8 EXAMINATION OF RUSSELL CRAMER

9 BY MR. PANZA:

10 Q. I just have a couple questions. 11:39:44

11 Is it correct that you were

12 interviewed by someone from the United States

13 Environmental Protection Agency?

14 A. Oh, yes. Yes, sir.

15 Q. Did you say that was eight years 11:39:58

16 ago?

17 A. Yes.

18 Q. And do you recall who interviewed

19 you?

20 A. It's on here somewhere 11:40:05

21 (indicating).

22 Q. Okay. Take your time. As you can

23 see, we're in no hurry.

24 A. Yes. Reginald Arkell.

25 Q. And did you give Mr. Arkell a 11:40:27

1 statement?

2 A. Yes. It was just --

3 Q. Do you have a copy of that

4 statement?

5 A. Yes, sir. 11:40:36

6 Q. May I see it?

7 A. Yes, sir.

8 Q. And, sir, how long did you spend

9 with Mr. Arkell? And the date here seems to be

10 August 16th, 2000. 11:41:03

11 A. Right. Correct.

12 Q. How long did you spend with

13 Mr. Arkell?

14 A. An hour, hour and a half.

15 Q. And do you recall what questions 11:41:09

16 Mr. Arkell asked you?

17 A. He just asked basically how long I

18 worked there, what my job was. As far as I

19 could recall, that's what I told him.

20 Q. And did he ask you about pickups? 11:41:26

21 A. Yes.

22 Q. Did he ask you what companies that

23 you picked up from?

24 A. Yes.

25 Q. And at that time did you try and 11:41:34

1 recall to the best of your recollection who
2 those companies were?

3 A. Yes, sir. That's why I told him
4 and he marked them down.

5 Q. And would you agree with me that 11:41:44
6 your recollection eight years ago was, in all
7 probability, better than your recollection
8 today?

9 A. Yes, sir.

10 Q. And at the time you gave your 11:41:53
11 statement, August 16th, 2000, were you shown
12 any documents?

13 A. Not that I recall, no.

14 Q. Was there anything that the
15 interviewer did to get you to refresh your 11:42:13
16 recollection?

17 A. He just asked questions and just
18 said to the best of my ability or knowledge to
19 give him an answer. That's all.

20 Q. And I presume that somehow whatever 11:42:27

21 you said during the interview was recorded in

22 some way. Did the interviewer take notes?

23 A. Yes, he took notes.

24 Q. And I would assume, then, that the

25 interviewer left, produced a statement that he 11:42:43

1 believed accurately reflected what you had told
2 him during the interview, and then asked you to
3 sign it?

4 A. Yes.

5 Q. And you did sign it? 11:42:54

6 A. Yes.

7 Q. And what you just handed me and
8 what Mr. Nash indicated he would provide me
9 with was basically an accurate reproduction of
10 what you told the interviewer in August of 11:43:05
11 2000; is that correct?

12 A. Correct.

13 MR. PANZA: And can I make this an
14 exhibit?

15 MR. NASH: Yes. We'll make it 11:43:12
16 Exhibit 1. Sure. It's his copy, but I'll give
17 you a copy. I've got several here.

18 - - - - -

19 (Thereupon, Cramer Exhibit 1 was

20 marked for purposes of

21 identification.)

22 - - - - -

23 MR. PANZA: That's all I have.

24 Thanks, Russ.

25 MR. McWILLIAMS: Are there any 11:43:39

1 questions from the participants on the

2 telephone?

3 MS. SHUMWAY: No.

4 MR. NASH: Does anybody else have

5 any more questions? I have no more questions 11:44:11

6 myself.

7 FURTHER EXAMINATION OF RUSSELL CRAMER

8 BY MR. McWILLIAMS:

9 Q. Mr. Cramer, just one last question.

10 Do you know Don Caine? 11:44:18

11 A. No, sir.

12 Q. Or C&C Supply?

13 A. No, sir.

14 MR. McWILLIAMS: You've been very

15 helpful today. Thank you for your time, 11:44:36

16 Mr. Cramer.

17 FURTHER EXAMINATION OF RUSSELL CRAMER

18 BY MR. NASH:

19 Q. Mr. Cramer, do you remember a man

25 A. No. 11:44:51

1 MR. NASH: I just thought I'd ask.

2 (Discussion had off the record.)

3 THE WITNESS: I'll just waive

4 signature.

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7 (Deposition concluded.)

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CERTIFICATE

The State of Ohio,)

) SS:

County of Cuyahoga.)

I, Renee L. Pellegrino, an RPR and

Notary Public within and for the State of Ohio,

duly commissioned and qualified, do hereby

certify that the within named witness, RUSSELL

CRAMER, was by me first duly sworn to testify

the truth, the whole truth and nothing but the

truth in the cause aforesaid; that the

testimony then given by the above-referenced

witness was by me reduced to stenotypy in the

presence of said witness; afterwards

transcribed, and that the foregoing is a true

and correct transcription of the testimony so

given by the above-referenced witness.

20 I do further certify that this
21 deposition was taken at the time and place in
22 the foregoing caption specified and was
23 completed without adjournment.

24

25

1 I do further certify that I am not
2 a relative, counsel or attorney for either
3 party, or otherwise interested in the event of
4 this action.

5 IN WITNESS WHEREOF, I have hereunto
6 set my hand and affixed my seal of office at
7 Cleveland, Ohio, on this day of
8 , 2008.

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Renee L. Pellegrino, Notary Public

Within and for the State of Ohio

My commission expires April 24, 2010.

20

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1 SIGNATURE OF WITNESS

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6 The Deposition of RUSSELL CRAMER, taken

7 in the matter, on the date, and at the time and

8 place set out on the title page hereof.

9 It was requested that the deposition be

10 taken by the reporter and that same be reduced

11 to typewritten form.

12 It was agreed by and between counsel and

13 the parties that the reading and signing of the

14 transcript of said deposition, be and the same

15 is hereby waived.

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3. As a truck driver for Obitts/CRS, I did not do too much local driving and probably only serviced about ten different customers. I usually worked 45-50 hours per week before my hours started decreasing. I made separate pickups with tanker trailers approximately once a week from General Motors in Lordstown and Yenkin-Majestic Paint in Columbus. I did not or rarely made deliveries to these companies. General Motors currently makes the Pontiac Sunbird at their plant. Obitts/CRS often did not sell the recycled chemicals to the same customer they picked up from. I understood, through hearsay, that many of the larger companies did not want the material back from Obitts/CRS because it was cheaper for them to buy it new. The smaller companies generally bought the recycled material. Frank Hart and Don Matthews usually made deliveries.

4. Other companies which I made fairly frequent pickups from and, possibly, deliveries to were: Jamestown Paint, in New York or Pennsylvania; Alsides in Akron; PPG in, Pittsburgh, Cleveland and suburban Detroit; Spray-on in Bedford Heights (possibly made bowling pins); and Ashland Chemical in Dayton and/or Kentucky. I also transported to and, possibly, from the following companies on occasion: an unknown company in Jamestown, New York/Pennsylvania which was about an eight-hour drive; Sherwin-Williams in Cleveland; Carmack Chemical of Elyria, which was bought out by Aztec; and Eagle Rubber in Ashland. Other destinations I transported chemicals to or from where unknown and smaller customers/companies were located included Berea, Bedford Heights and Dayton, Ohio. I made deliveries to State of Ohio maintenance garages located in Cambridge, Marietta, and Columbus, Ohio and small automobile body shops. I did not make pickups from these entities. I cannot estimate the frequency of pickups from and deliveries to any customer or the quantities picked up and dropped off.

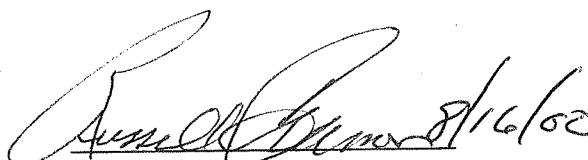
5. Typically, I had a manifest which identified the chemicals and the amounts to be picked up or delivered. I carried manifests and/or invoices and kept trucker's logs to record mileage to and from destination cities. I was never required to accept payments.

6. There were two stills located in a building by the Black River at the back of the Obitts/CRS property and a third still, which was fairly new at the time and located in a building near the front. I knew the stills by the river as the number two and number three stills. They looked like big drums. They were mounted on steel legs on a cement floor which was about an eight-inch drop from the outside ground surface. There was a sump system under these stills which would pump any spilled material into a slop tank for disposal by Ross Incineration. Sludges were disposed of in a tanker trailer and/or drums located outside for disposal by Ross Incineration. I estimate that a couple of tanker trailers full of sludges were transported to Ross Incineration every day. Steam generated by the distillation process was converted to the clean chemical liquid and pumped via pipes to storage tanks outside of the building. I believe these storage tanks were probably mounted on the bare ground with supports. The stills and aforementioned tanks were surrounded by a short wall or dike to contain any spills. I heard that there were spills or overflows but I may have only seen one occurrence. This spill did not make it out of the diked area. Although I did not see discharges to the Black River, the water appeared to have chemical contaminants in it at times.

7. I estimate that there were around 500 drums of unknown chemicals stored outside on the bare ground at the Obitts/CRS facility at any given time. Their numbers probably decreased over time. I believe that the majority of these contained outdated, frozen, or otherwise unuseable material and were probably sent to Ross Incineration for disposal. About 100 of these were stacked on top of other drums. I do not recall any of the drums leaking. Dirty drums were sent for cleaning to an unknown company in Cleveland and another unknown company in Canton.

8. Further affiant sayeth naught.

I verify under the penalties of perjury that the above and foregoing is true and correct to the best of my knowledge and belief.


Russell Cramer

STATE OF Ohio)
COUNTY OF Lorain)

Before me, the undersigned, a Civil Investigator for the United States Environmental Protection Agency, personally appeared Russell Cramer, who having read and reviewed the foregoing Declaration, attested to its truth and veracity to the best of his recollection and belief and acknowledged his execution thereof.

WITNESS my hand this 16th day of August 2000.


Civil Investigator

Reginald Arkell
Printed Name